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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/530,145	04/24/2000	TOSHIO YAMAWAKI	37395/DBP	5367

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D BRUCE PROUT
CHRISTIE PARKER & HALE
350 WEST COLORADO BOULEVARD
SUITE 500
PASADENA, CA 91105

EXAMINER

BOAKYE, ALEXANDER O

ART UNIT	PAPER NUMBER
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2416

MAIL DATE	DELIVERY MODE
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10/02/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/530,145	Applicant(s) YAMAWAKI, TOSHIO	
	Examiner ALEXANDER BOAKYE	Art Unit 2416	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 July 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10-26 is/are pending in the application.
- 4a) Of the above claim(s) 1-9 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 15-18, 21, 22 and 24 is/are allowed.
- 6) ☒ Claim(s) 10-14, 19-20, 25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>03/23/2006; 02/12/09</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 101

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Regarding claims 10-14, 19, 20, 25, the word "means" is preceded by the word(s) "for" in an attempt to use a "means" clause to recite a claim element as a means for performing a specified function. However, since no function is specified by the word(s) preceding "means," it is impossible to determine the equivalents of the element, as required by 35 U.S.C. 112, sixth paragraph. See *Ex parte Klumb*, 159 USPQ 694 (Bd. App. 1967).

Claims 10, 11, 12, 13, 14, 19, 20, 25 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 10, 19, 23 recite a gateway device comprising means-plus-function elements. These elements are equivalents to the software embodiment disclosed in the

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specification. Therefore, the device as a whole merely comprises only software, which is nonstatutory.

Claims 11, 25, recite a gateway device comprising means-plus-function elements. These elements are equivalents to the software embodiment disclosed in the specification. Therefore, the device as a whole merely comprises only software, which is nonstatutory.

Claims 12-14, 20, recite a gateway device comprising means-plus-function elements. These elements are equivalents to the software embodiment disclosed in the specification. Therefore, the device as a whole merely comprises only software, which is nonstatutory.

Allowable Subject Matter

2. Claims 15,21, 24,16, 26,17, 18, 22 are allowable

The following is a statement of reasons for the indication of allowable subject matter: As to claims 15, 21, 24, the prior art of record does not teach (a) judging, by a microcomputer, based on contents of the message field of said communication data, whether or not the information received from the one communication bus is the information that should be transmitted to the other communication bus; and (b) performing filtering, by the microcomputer, to transmit the received information to the other communication bus when in the step (a) the received information is judged to be the information that should be transmitted.

As to claims 16, 26, the prior art of record does not teach (a) judging, by a microcomputer, based on the command contained in the message field of said communication data, whether or not the information received from one communication bus is the information that should be transmitted to the other communication bus; and (b) performing filtering, by the microcomputer, to transmit said received information to said other communication bus when in said step (a) said received information is judged to be the information that should be transmitted.

As to claims 17, 18, 22, the prior art of record does not teach (a) judging by a microcomputer whether or not information received from one communication bus is information that should be transmitted to the other communication bus; (b) storing by the microcomputer the information that is judged in said step (a) to be the information that should be transmitted; and (c) performing filtering by the microcomputer whereby the information stored in said step (b) is compared with newly received information which is of the same kind as said stored information and is judged in said step (a) to be the information that should be transmitted and, when their contents differ, said received information is transmitted to said other communication bus while, at the same time, storing said received information in said step (b).

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexander Boakye whose telephone number is (571) 272-3183. The examiner can normally be reached on M-F from 8:30am to 6:00pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's

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supervisor, Chi Pham, can be reached on (571) 272-3179. The Fax number is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or PUBLIC PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Any inquiry of a general nature or relating to the status of this application or proceeding **should be directed to the Electronic Business Center (EBC) numbers at 866-217-9197 and 703-305-3028.**

/ALEXANDER BOAKYE/

for first office actions, Examiner of Art Unit 2416 (Partial Temporary Signatory)

9/29/2009